

# **MEDICAL MARIHUANA CAREGIVER CENTER APPLICATION PROCESS STATUS REPORT FOR DETROIT CITY COUNCIL**

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**Office of the Corporation Counsel**

**Detroit Police Department**

**Department of Buildings, Safety Engineering &  
Environment**

**February 2, 2016**

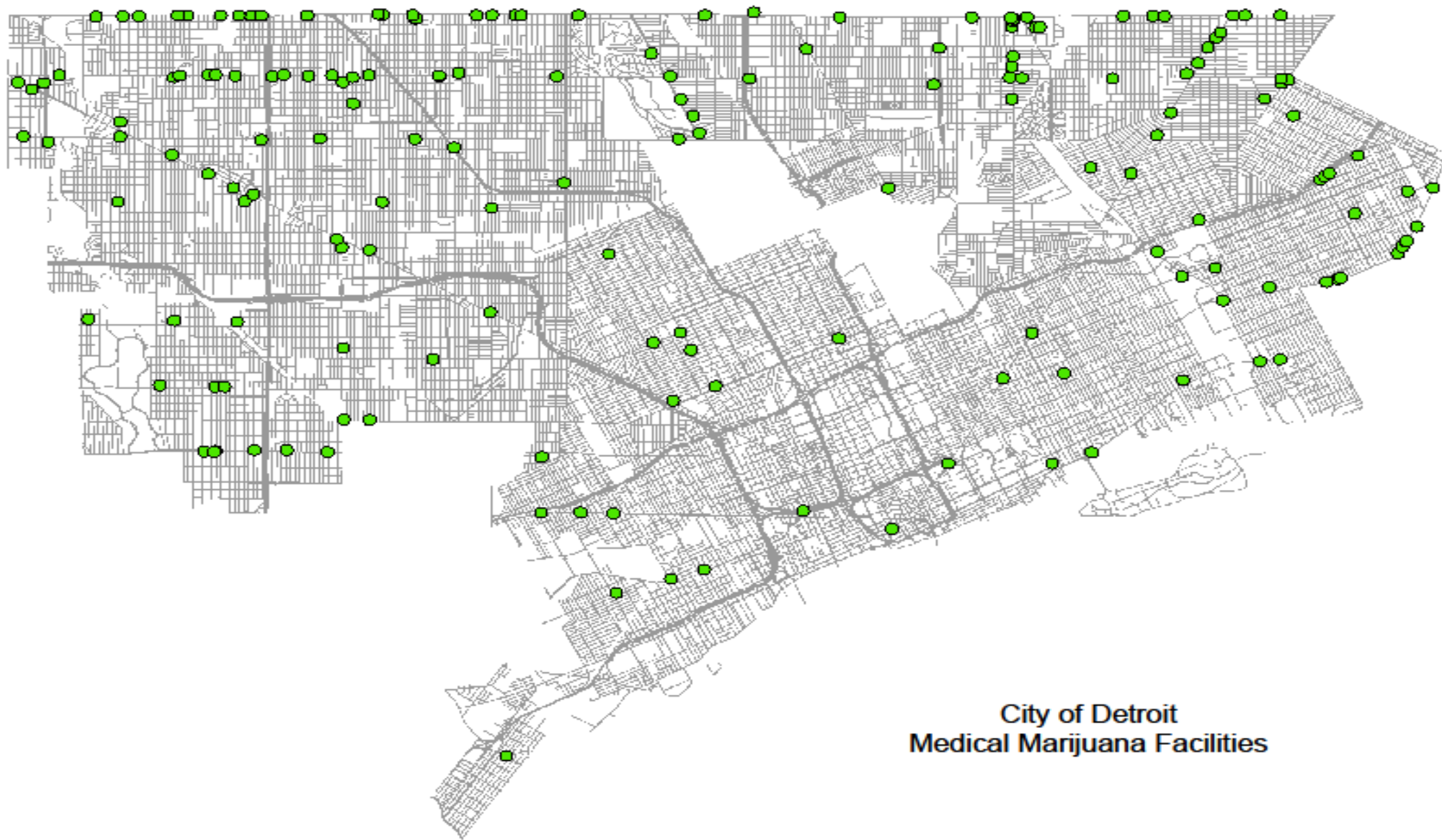


# Introduction

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- Background information:
  - State of Michigan enacted Michigan Medical Marihuana Act in November 2008
  - Licensing Ordinance adopted October 13, 2015
  - Amendment to Zoning Ordinance adopted December 17, 2015
  - Effective date March 1, 2016
- Where we are now:
  - Two hundred eleven (211) medical marihuana facilities identified





City of Detroit  
Medical Marijuana Facilities

# Implementation

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- MMCC on line:
  - Information regarding ordinances and application process
  - Links to LARA website and other City websites such as Board of Zoning Appeals
  - Frequently Asked Questions
- Search engine:
  - On-line address query to determine if property is in eligible zoning district



# Fact Sheet on City's Website

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- The City has enacted Ordinances allowing proposed Medical Marihuana Caregiver Centers (MMCC's), to apply for a business license needed to operate in M-1, M-2, M-3, M-4, B-2, and B-4 zoning districts. The Ordinances amend Chapters 24 and 61 of the 1984 Detroit City Code, and are available online on the City's website.
- A licensed MMCC will be permitted to distribute and cultivate medical marihuana in a commercial building in accordance with the Michigan Medical Marihuana Act (MCL 333.26421)
- Spacing requirements for MMCC's:
  - 1,000 radial feet from a "Drug Free Zone," which includes arcades, child care centers, educational institutions, libraries, outdoor recreational facilities, schools and youth activity centers, and public housing
  - 1,000 radial feet from another MMCC
  - 1,000 radial feet from a Controlled Use (e.g. liquor store)
  - 1,000 radial feet from a religious institution defined as exempt by the City Assessor.
- MMCC's are not permitted within Gateway Radial Thoroughfare or Traditional Main Street overlay areas.
- Maps showing potential locations can be found on the following link: <http://www.detroitmi.gov/Government/Boards/City-Planning-Commission-Information>

# Fact Sheet - Cont'd

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- The Effective Date of the Ordinances is March 1, 2016, meaning any proposed MMCC cannot begin the application process for City approvals until that date. Application forms will be available online on the Effective Date.
- Any proposed MMCC facility/business, or any facility/business pertaining to the distribution of medical marihuana, having opened prior to obtaining all required City approvals under the application process is operating illegally.
- Applicants must obtain zoning approval prior to applying for a business license. Zoning approval starts with an application for site plan approval submitted to the Plan Review Counter of the Building, Safety Engineering and Environmental Department (BSEED) on the 4th floor of the Coleman A. Young Municipal Center, 2 Woodward Avenue, Detroit, MI 48226
- Applicants for approved zoning may submit an application for a business license at BSEED's Business Licensing Center.
- Applicants and their employees/agents seeking an MMCC business license must be registered caregivers under the Michigan Medical Marihuana Act.
- Applicants and their employees/agents will undergo background checks, and may not have felony convictions
- Any MMCC license automatically expires on September 30 of each calendar year. MMCC's must re-apply for a license 30 days prior to the expiration date.

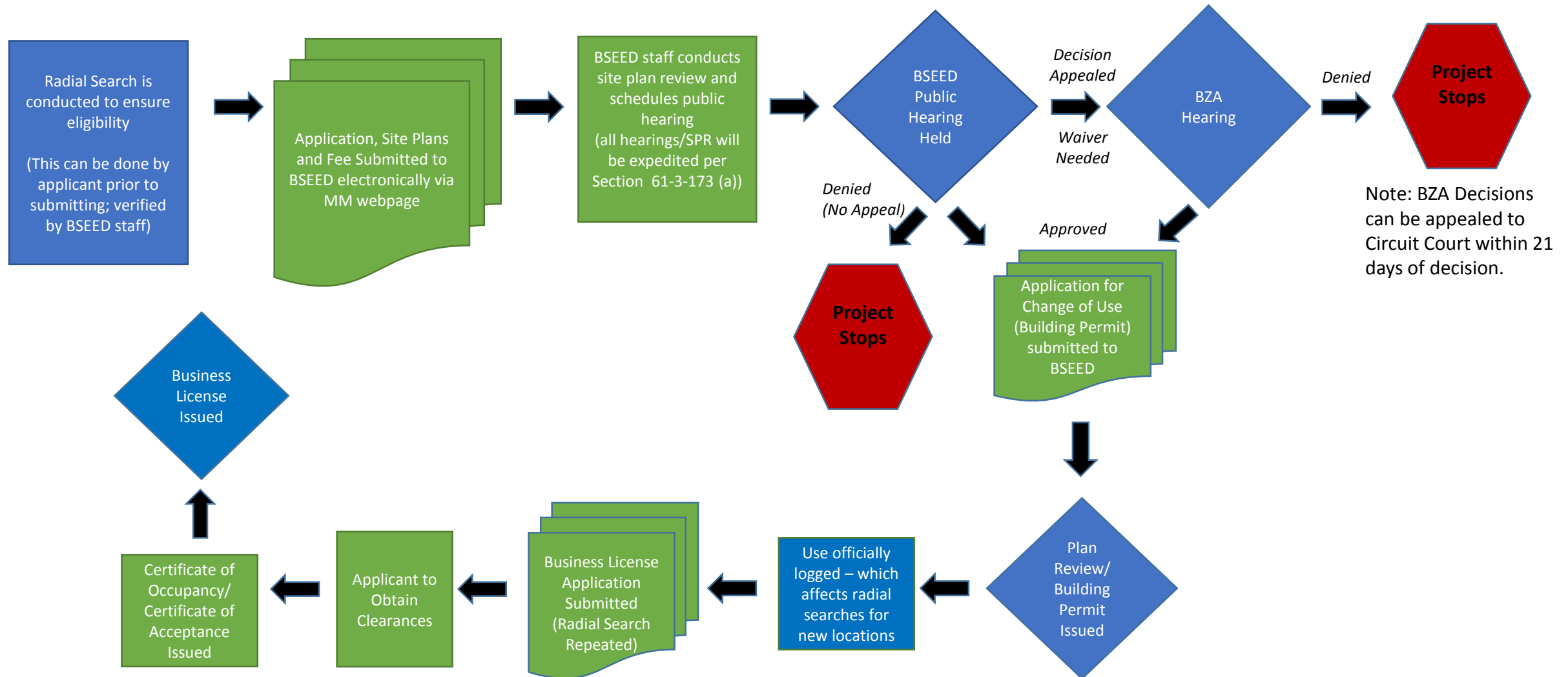


# Approval Process

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- Applications can be submitted through on-line process only:
  - Begins at 9 a.m. on March 1, 2016
  - Cannot submit application unless all attachments are uploaded (e.g. security plan, site plan, etc.)
  - Completed applications process in the order received
- Must start process with zoning:
  - Must apply with a specific site, with evidence that applicant has legal control of the site (e.g. title, land contract, lease, etc.)
  - Potential variances submitted to Board of Zoning Appeals

# Medical Marihuana Approval Process





# Business License Process

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- After building permit received, applicants may apply for a business license.
- All applicants and employees must be caregivers under State statute.
- Licensees must obtain standard clearances from Police, Income Tax, etc.
- Properties must pass inspections
- Second radial search is conducted to verify over-concentration

## **BUILDINGS, SAFETY ENGINEERING & ENVIRONMENTAL DEPARTMENT**

### **BUSINESS LICENSE CENTER**

C.A.Y.M.C. STE 402

313.224.3179

Hours: 8:00 a.m.-4:30 p.m.

### **BUSINESS LICENSE PROCEDURE FOR MEDICAL MARIJUANA**

**(PROPOSED) FEE \$1420.00**

Applicants & Employees must be registered Caregivers with the State of Michigan

The individual submitting the application must prove to be the highest level official of the entity

#### **SUPPORTING DOCUMENTS NEEDED TO ACCOMPANY THE APPLICATION**

- Organizational documents
- Government issued Identification for all business partners
  - (State I.D., Driver's License or Passport)
- Felony clearance for the applicant and all business partners received from DPD
- Federal Identification Number
- Proof of Property Ownership
  - **Lease must state intended use and must be notarized** or Property Deed/Land contract (registered with Wayne County Register of Deeds)
- Building Permit or Occupancy Permit
- Personal Property Tax ID# (register with the City of Detroit in Suite #828)

### **SUPPORTING DOCUMENTS NEEDED IN RELATION TO THE CAREGIVER CENTER**

- Description of the security plan
- Description of the storage facilities

### **SUPPORTING DOCUMENT IN RELATION TO THE CAREGIVER CENTER OPERATIONS**

- Description of tracking quantities and inventory controls
- Description of the disposal plan for medical marijuana
- Description of products and services including retail
- Description for procedures involving testing of contaminants (such as mold)
- Description of recordkeeping requirements

### **PROCEDURE FOR LICENSING**

- The application must be submitted with all required documents and fee
- A final radial search is conducted to ensure eligibility
- A certificate of occupancy or certificate of acceptance is received
- Business License is issued



# Timeline

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- Notice letters sent to all facilities on February 2, 2016, published in Detroit Legal News and posted on MMCC website
- Training of BSEED inspectors, DPD and BZA by mid-February, 2016
- Informational workshop for interested applicants and the public anticipated by the end of February, 2016
- Facilities operating within permissible zoning districts must have applied for a license by March 31, 2016

# Enforcement

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## DPD

- Response to complaints
- Violations of ordinances or state law (e.g. patient card issued by LARA for entry; only MMCC affiliated with caregiver)

## BSEED

- Zoning
- Certificate of occupancy
- Certificate of compliance
- Inspections and ticketing
- Closure orders

# Questions?

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- Representatives from BSEED, DPD and Law are available to respond